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July 26, 2016

**VIA ECF**

Honorable Steven I. Locke  
United States Magistrate Judge  
United States Courthouse  
Eastern District of New York  
944 Federal Plaza  
Central Islip, NY 11722

**Re:** *Aaron Cohen v. Ditech Financial LLC, et al.*  
Case No.: 2:15-CV-6828 (Eastern District of New York)

Dear Judge Locke:

Pursuant to Section 2 of Your Honor's Individual Practices, Aaron Cohen ("Cohen"), Ditech Financial LLC ("Ditech") and Rosicki Rosicki & Associates P.C. ("Rosicki")<sup>1</sup> jointly write to request a 120 day adjournment of the deposition deadline (currently August 1, 2016) and the summary judgment motion deadline (September 9, 2016). To date, the Parties have exchanged Rule 26 disclosures, their first sets of written discovery and settlement proposals.

The Parties believe an adjournment is appropriate for the following reasons. First, Ditech and Rosicki have each filed dispositive motions to dismiss (collectively the "Motions"). The Motions are fully briefed and have been pending since May 20, 2016 [ECF Nos. 24-33]. The Parties believe that a short adjournment of the deadlines for depositions and summary judgment is appropriate as the decision on the Motions could significantly narrow the subject matter of any depositions or claims to be briefed in a summary judgment motion. Second, Ditech and Cohen are engaged in settlement discussions which they are hopeful could resolve this lawsuit. At a minimum, a short adjournment of time would benefit the Parties as they could conserve attorney's fees and costs while settlement negotiations intensify.

Lastly, the instant motion is the Parties' first request for an adjournment of any deadlines in the Scheduling Order [ECF No. 16], is made in good faith and not for purposes of delay.

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<sup>1</sup> Cohen, Ditech and Rosicki are collectively referred to as the Parties.

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We thank you again for your continued consideration of this matter.

Respectfully submitted,

/s/ Justin Angelo

Justin Angelo, Esq.  
*Attorneys for Ditech*

/s/ Carol Lastorino

Carol Lastorino, Esq.  
*Attorneys for Rosicki*

/s/ Shimshon Wexler

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